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Building Regional Communities

P.L. 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21)

**Presentation by:
The National Association of Regional Councils
October 2012**

Use of Materials

Over the past several years, NARC has provided information on the federal surface transportation authorization, and will continue to do so. Please use this information to educate local elected and appointed Board members, staff, stakeholders and citizens involved in the regional planning process.

This information is not the opinion of the NARC Board, its members or staff, but rather readily available data compiled from various public sources.



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MAP-21 Federal Transportation Authorization

- NARCs Mission
- Congressional Overview
- MAP-21 Summary
- Staff Contact



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Building Regional Communities

NARCs Mission

- National non-profit organization.
- Represents multi-jurisdictional regional planning organizations – large and small, urban and rural.
- Formed by NACo and NLC; governed by local elected officials.
- President David F. Shafer, Clerk-Treasurer, Town of Munster, IN
- Concentrate on four core areas: Transportation; Economic & Community Development; Homeland Security/Public Safety; Environment
- Provides advocacy, training and technical assistance
- Strongly supports building livable, sustainable communities through multi-jurisdictional, regional cooperation in urban, suburban and rural areas that are reflective of local elected decision-making and community choice.



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MAP-21 Federal Transportation Authorization

Congressional Overview

P.L. 112-141: MAP-21

- Passed Congress - Jun 29, 2012
- Signed by the President - July 06, 2012 (P.L. 112-141)
- 9 SAFETEA-LU extensions
- One last 3-mo. extension – takes effect on 10/1/12



MAP-21 Federal Transportation Authorization

Congressional Overview

S. 1813: MAP-21

- Passed Senate: March 14, 2012
- 2yr authorization
- Level Funding
- Consolidated Programs
- Numerous changes to MPO and programmatic structures



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MAP-21 Federal Transportation Authorization

Congressional Overview

H.R. 7

- Passed House T&I Committee, but never the full House
- Consolidated Programs
- 4yr authorization
- Fewer changes to MPO structure
- Numerous programmatic changes



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Congressional Overview

H.R. 4348

- Passed House on April 18, 2012
- Short-term SAFETEA-LU extension modified:
 - RESTORE Act
 - Environmental Streamlining
 - Keystone XL pipeline
 - Coal Ash provisions

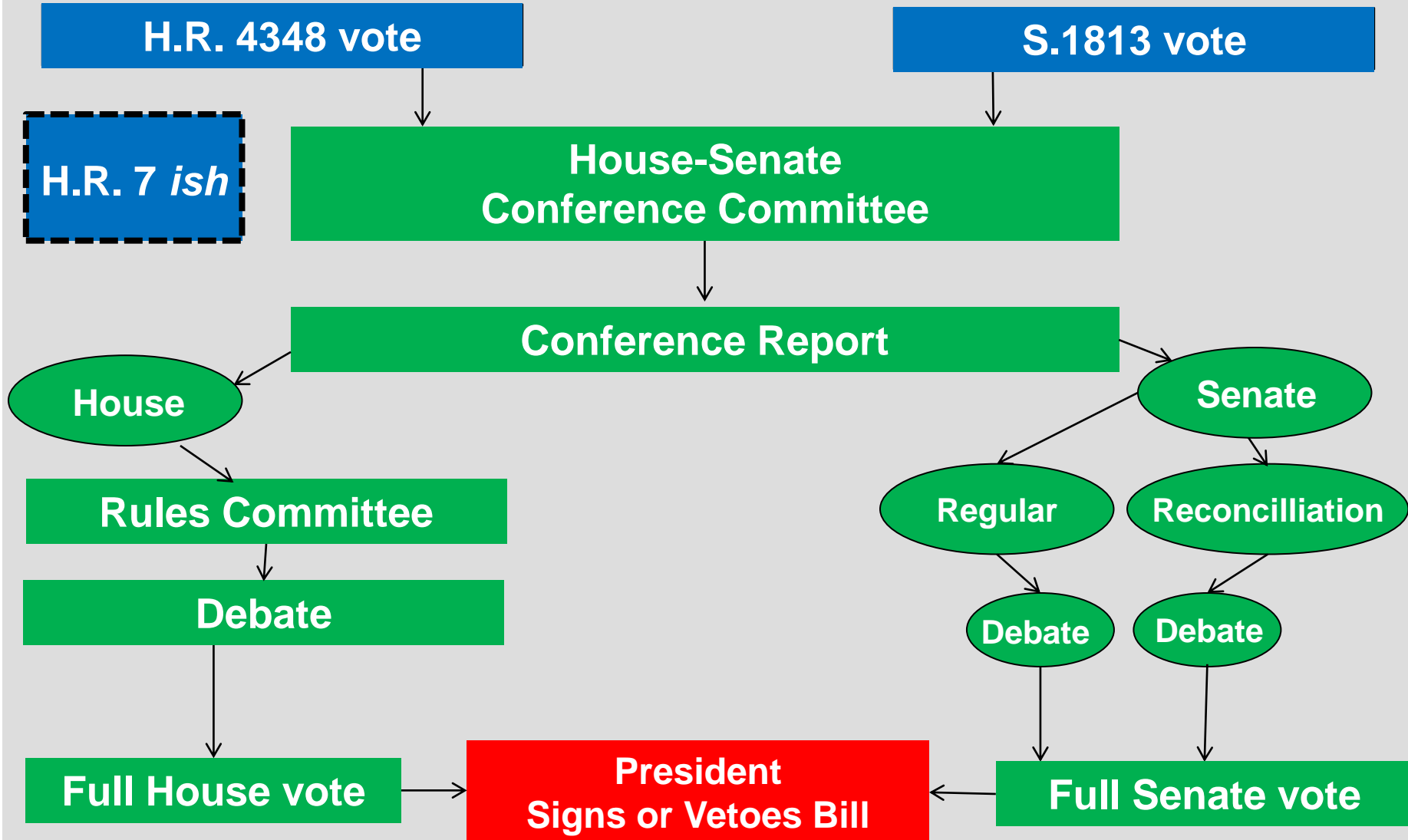


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MAP-21 Federal Transportation Authorization

Conference and Passage



MAP-21 Federal Transportation Authorization

MAP-21 Summary

H.R. 4348, MAP-21

- 27-month authorization
- Current funding levels maintained plus inflation
 - \$105 billion for FY13 & FY14 (~\$53 billion/yr)
 - ~\$37.5 billion/yr for federal highways
 - 95% rate of return to States
 - Transfers \$18.8 billion to HTF from GF
- Maintain historical 80/20 split between highway and transit programs (with exceptions)
- Consolidated program from ~60 to 4



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MAP-21 Program Consolidation

Restructuring of Core Programs

SAFETEA-LU

MAP-21

- National Highway System
- Interstate Maintenance System
- Highway Bridge

National Highway Performance Program

Congestion Mitigation and Air Quality Program

Congestion Mitigation and Air Quality Program

Surface Transportation Program

Surface Transportation Program

Highway Safety Improvement Program

Highway Safety Improvement Program

Metropolitan Planning

Metropolitan Planning



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MAP-21 Program Consolidation

Among the Programs Eliminated

**program eligibilities retained in other places*

National Scenic Byways

Transportation Enhancements

Transportation, Community and System Preservation

High-Risk Rural Road Program

Safe Routes to Schools

Joint Access and Reverse Commute

Railway-Highway Crossing Hazard Elimination in High Speed Rail
Corridors



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Performance Based Planning

- **General:** Continues the “3C” process; establishes and uses a performance-based approach to transportation decision making.
- **Performance Targets:** Each MPOs will establish performance targets that address the performance measures and are used in tracking progress towards attainment.
 - MPOs will coordinate the selection of performance targets with relevant state and public transportation providers.
 - 180 days after State sets Performance Measures

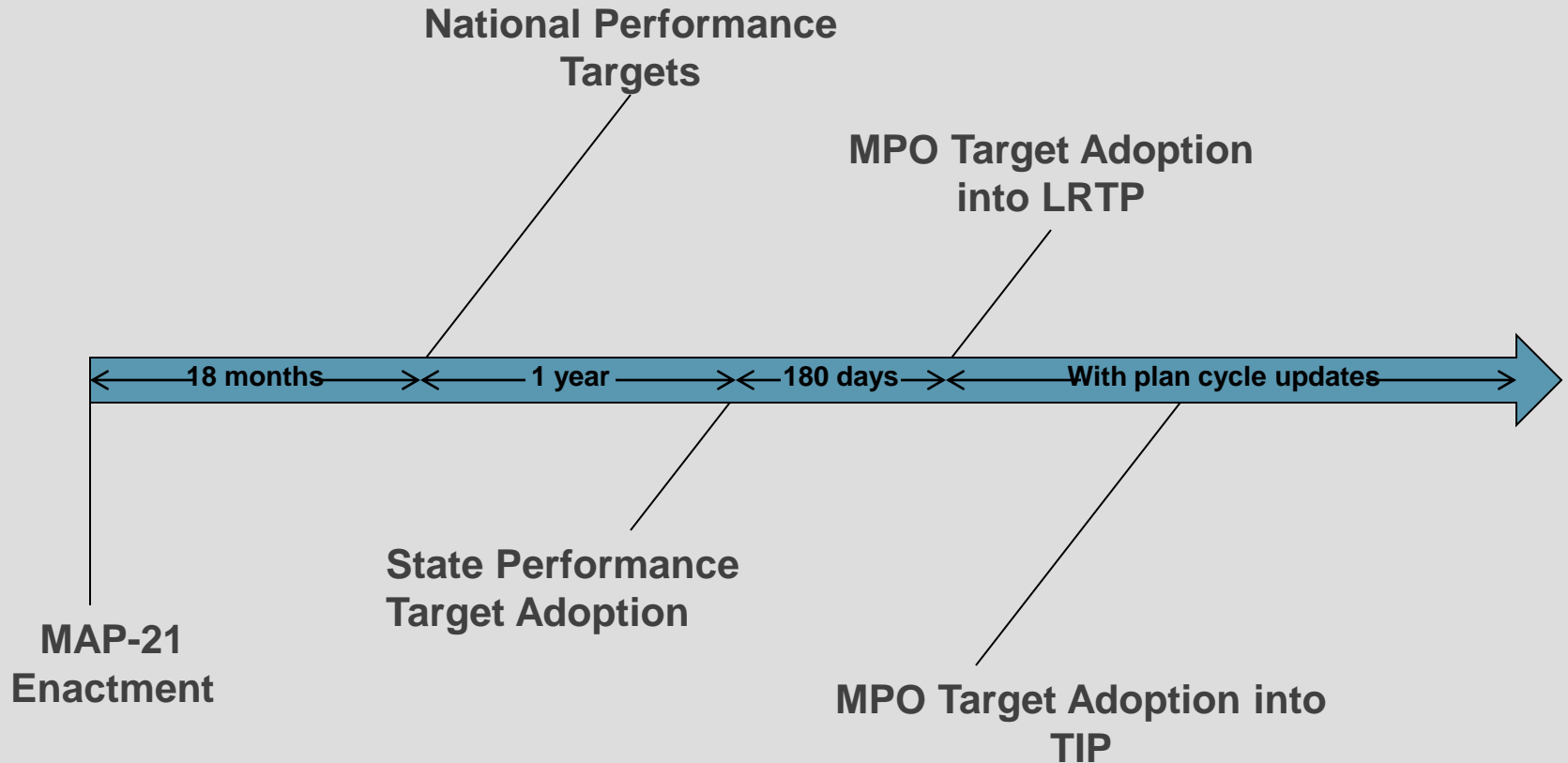


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Performance Based Planning



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Metropolitan Planning

FY13	FY14
\$312 million	\$314 million

- Metropolitan – largely unchanged
 - MPOs established at 50K
 - TMAs established at 200K
 - consist of local officials, officials from transportation public agencies in the area and the appropriate State officials
 - Board structure slightly changed, now includes all modes of transportation
 - Optional scenario planning
 - Reimbursed within 15 days
 - No transfer of planning funds permitted w/o consent



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Metropolitan Planning

- Development/integration of performance measures
 - Cooperate with State on measurement development
 - Develop targets within 180 days
 - Integrate the goals, objectives, measures and targets of other state level performance based plans, as well as the transit plans
 - CMAQ performance plans at 1m
 - Inclusion of financial plans



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Nonmetropolitan Planning

- Statewide – new nonmetropolitan authority
 - Nonmetropolitan planning stronger than in either H.R. 7 or S. 1813
 - Defines Regional Transportation Planning Organizations; Grants States the option to create them
- SecDOT doesn't approve State consultation plan
- Maintains a separate participation process for nonmetropolitan local officials
- If a State doesn't have RTPOs, then the State shall consult with the nonmetropolitan officials



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Nonmetropolitan Planning

Project Stage	RTPO Level of Inclusion
Planning (LRTP)	Cooperation
Programming (TIP)	Consultation
Project selection generally	Cooperation
Project selection on NHS, IM or bridge projects	Consultation



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Planning Scope

SAFETEA-LU	MAP-21
Economic vitality	Economic vitality
Safety	Safety
Security	Security
Accessibility & mobility for people and freight	Accessibility & mobility for people and freight
Protect & enhance the environment, promote energy conservation, improve the quality of life, promote consistency b/t transportation improvements & State and local planned growth & economic development patterns	Protect & enhance the environment, promote energy conservation, improve the quality of life, promote consistency b/t transportation improvements & State and local planned growth & economic development patterns
System Integration and connectivity	System Integration and connectivity
Management and operation	Management and operation
Preservation of the existing transportation system	Preservation of the existing transportation system



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NHPP

FY13	FY14
\$21.7 billion	\$21.9 billion

- NHPP supports NHS'
 - condition and performance,
 - New facility construction,
 - Makes progress toward performance goals
- Establishes a performance management system for maintaining the NHS
- High Risk Rural Road program eliminated
 - If a States fatalities increase above a threshold, the State is required to spend 200% of its previous HRRR set-aside.



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NHPP

- Interstate System – all principal arterials and border crossings, the strategic defense highway network, etc.
- “Enhanced NHS” – appx 220,000 miles
 - Urban, rural roads
 - Serving major population centers, international border crossings, intermodal facilities and major travel destinations



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Surface Transportation Program

FY13	FY14
\$10 billion	\$10 billion

- To preserve or improve conditions and performance on:
 - any Federal-aid highway,
 - bridge projects on any public road,
 - facilities for nonmotorized transportation,
 - transit capital projects and
 - public bus terminals and facilities



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Surface Transportation Program

- Distribution of funds:
 - 50% suballocated to urban areas
 - 50% in an area of the state
- Consultation with RTPOs required
- 15% set-aside for off system bridges retained
 - State waiver possible



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Surface Transportation Program

- Eligibilities maintained and expanded to include:
 - Transportation Alternatives program
 - recreational trails,
 - ferry boats,
 - truck parking facilities, and
 - Appalachian Development Highway System projects
 - electric vehicle charging infrastructure
 - electronic toll collection strategies, etc.



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Surface Transportation Program

- Appalachian Development Highway System
 - Dedicated funding eliminated
 - ADHS corridors and local access roads are permissible expenses
 - Increases federal match from 80% to 100% for the period of 2012-2021
- Appalachian Development Public Transportation Assistance Program (new)
 - \$20 million per year from Mass Transit Account of HTF
 - Can be used for highway construction
 - Formula TBD by ARC



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Congestion Mitigation and Air Quality

FY13	FY14
\$2.2 billion	\$2.2 billion

- For projects and programs that help meet the Clean Air Act.
- Funding available for:
 - Projects reducing congestion and improving air quality
 - States with no nonattainment or maintenance areas can use CMAQ funds for any CMAQ or STP eligible project
- Diesel retrofits given special emphasis in eligible projects for regions in nonattainment for PM_{2.5}



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Congestion Mitigation and Air Quality

- Eligibilities Maintained and Expanded to Include:
 - projects that improve incident and emergency response or mobility,
 - traffic demand shifts to nonpeak hours or other transportation modes,
 - increases vehicle occupancy, or
 - Uses telecommuting, ridesharing, carsharing, alternative work hours, and pricing.
- Allows states to transfer up to 50% of CMAQ funds to other programs (up from SAFETEA-LU).



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Congestion Mitigation and Air Quality

- Changes:
 - Allows states to transfer up to 50% of CMAQ funds to other programs (up from SAFETEA-LU).
 - No direct CMAQ suballocation
 - States can obligate CMAQ funding in an area without regard to the type of pollutant that it addresses (within limits)



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Transportation Alternatives

FY13	FY14
\$808.7 million	\$819 million

- Consolidates Transportation Enhancements, Safe Routes to Schools and Recreational Trails Programs
- A State may opt-out by notifying the Secretary 30 days before it does so
- Can also fund environmental mitigation and minor road construction



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Transportation Alternatives

- TA projects are treated as if they're on the federal-aid system
- Transfers
 - Allows states to transfer up to 50% of the non-suballocated funds to other programs
 - Allows states to transfer funding out of the program if the state has a backlog of funding exceeding 100% of an annual TA set aside.

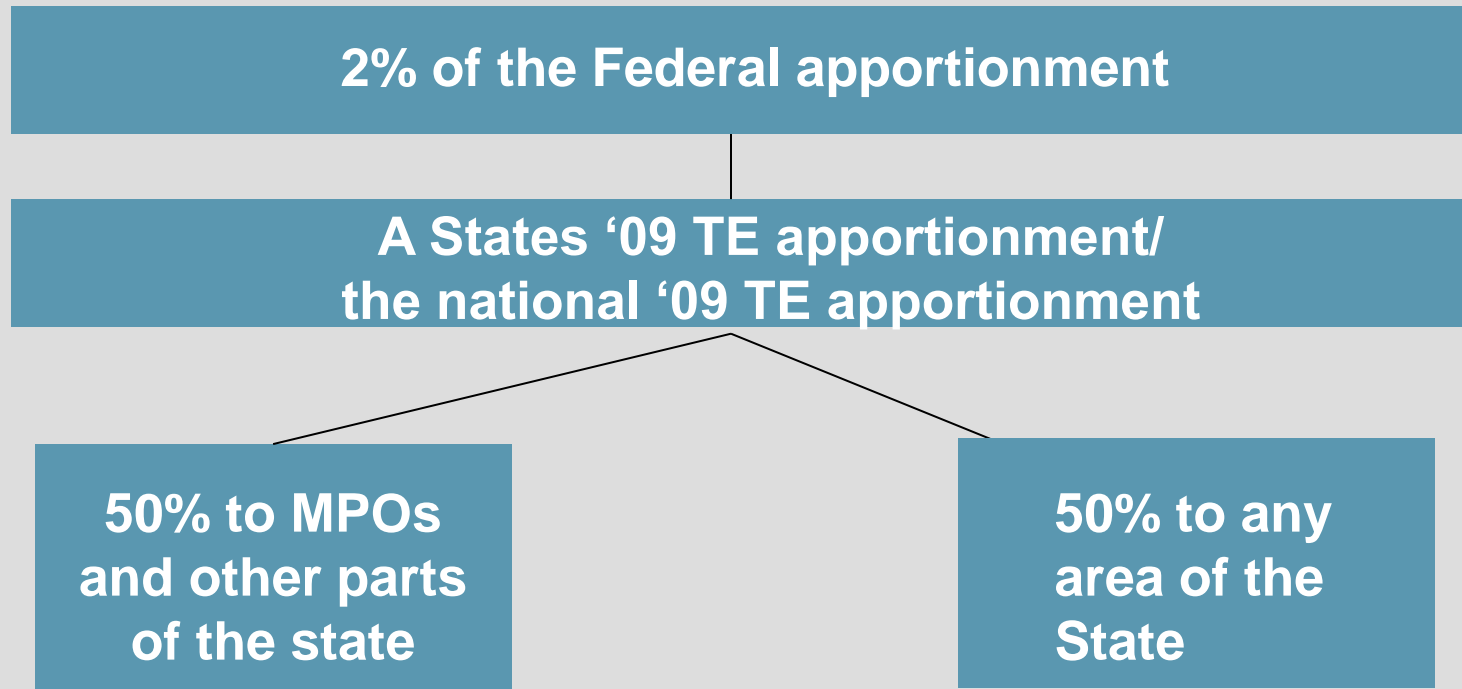


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Transportation Alternatives



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Transportation Alternatives

- MPOs must run a competitive process for the TA funds and select the projects stemming from that competition
- Eligible entities:
 - Local government
 - Regional transportation authority
 - Transit agency
 - Natural resource or public land agency
 - School district, local education agency, or school
 - Any local or regional governmental entity determined by the state to be eligible that isn't the MPO or State



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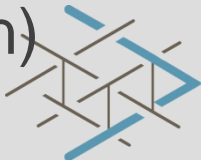
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Transit

FY13	FY14
\$10.6 billion	\$10.7 billion

- formula grant programs:
 - Urbanized Areas
 - Rural Areas
 - Elderly and Disabled
 - Previously New Freedom Program
 - Bus and Bus Facilities
 - previously discretionary grant program
 - Now distributed by formula
 - State of Good Repair (formerly Fixed Guideway Modernization)
 - High Density



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Transit

- JARC eliminated but activities are eligible for funding
- Operations
 - 100 bus rule retained - Can use up to X% for operating expenses
 - Earlier Senate language allowing over 200,000 regions to use a portion of their 5307 funding for operations during high unemployment not retained



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Freight Policy



- Establishment of a National Freight Policy
 - Mainly highway assets
- Creation of a National Freight Network
 - 27,000 miles now
 - Can increase by 3,000 miles
 - Designates critical rural freight corridors
- State Advisory Committees
- State Freight Plans
- 95% eligible costs
- MPOs not necessarily explicitly included



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Projects of Regional and National Significance

FY13	FY14
\$500 million	\$0

- No role for local governments or MPOs to apply for funding
- Congressional reporting requirements to evaluate the programs benefit to highway projects
- Projects must meet criteria:
 - national economic benefits,
 - reducing long-term congestion,
 - improving freight movement, and
 - bolstering safety



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Environmental Processes Streamlining

- Concurrent, rather than sequential environmental reviews
- Adoption authorized for all or parts of approved planning products, including those developed by MPOs, in any class of action
- Filing a judicial challenge to a NEPA Record of Decision is reduced from 180 to 150 days
- States and MPOs can request early coordination assistance with US DOT in 8 different activities



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Environmental Processes Streamlining

- Categorical Exclusions
 - Projects in existing ROW
 - Emergency designations for infrastructure repair projects
 - NEPA-lite: projects with less than \$5 million in federal funds or cost less than \$30 million
 - Required US DOT rulemaking to find potential, new categorical exclusions – MPOs to be consulted
- Federal Agency Penalties
 - For failure to render review and permitting decisions by deadlines
 - Relevant agencies penalized 10-20K per week (limitations apply)



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Federal Lands and Tribal Transportation

Program	FY13	FY14
Tribal Transportation	\$450 million	\$450 million
Federal Lands Transportation	\$300 million	\$300 million
Federal Lands Access	\$250 million	\$250 million

- Set-asides
 - 2% for planning (\$9 million)
 - Tribes must implement planning procedures that are consistent with metro and statewide planning
 - 2% for the Bridge Program
 - 2% for Tribal Safety Program (new)
- New Tribal High Priority Projects Program (\$30 million from GF)
 - For Tribes that receive insufficient funding to carry out their high priority projects

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TIFIA

FY13	FY14
\$750 million	\$1 billion

- Significant Financing Increase
- 10% set-aside for regions smaller than 250K population
- Removes previous evaluation criteria
- Provides funding on a first come, first serve basis
- Projects or a program of projects are eligible for funding



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NARC MAP-21 Resource Page

MAP-21 Federal Surface Transportation Authorization

[Home](#) > [Issue Areas](#) > [Transportation](#) > [Policy Positions](#) > MAP-21 Federal Surface Transportation Authorization

On July 6, 2012, President Obama signed into law, P.L. 112-141, the Moving Ahead for Progress in the 21st Century (MAP-21). This law authorizes the federal surface transportation policy and programs for two years, at a total of \$105 billion. MAP-21 expedites project delivery, establishes policies to improve freight movement, enhances innovative financing options and consolidates a number of highway programs across the federal highway, transit and safety programs. MAP-21 takes effect on October 1, 2012, with a three month extension of current law and expires on September 30, 2014.

Click on the links below for more information about MAP-21.

Letters to Congress

NARC Federal Surface Transportation Authorization Conference Committee [letter](#).

Resources

[NARC statement](#) on passage of MAP-21.

[President Obama Signs Transportation Reauthorization Bill into Law \(YouTube\)](#)

NARCs summaries of H.R. 4348, the Moving Ahead for Progress in the 21st Century.

[Metropolitan and Statewide Planning](#)

[All sections](#) important to NARC members

A [summary](#) of the changes in the Transportation Alternatives program, as prepared by the National Transportation Enhancements Clearinghouse.

The National League of Cities [summary](#) of MAP-21



Contact Us

What's Next?

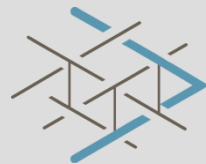
- Implementation
 - Timeline
 - Priorities?
- Reauthorization
 - Only a 2 year bill
 - Hearings on Finance already held in House
 - Effects of Federal Election



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Contact NARC for more information or assistance.



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